19/597,277 AMP 1131/10

Appl. No. 10/597,277 Response to Office Action of October 28, 2008 Docket No.: US040043US2 Customer No. 000024737

particular events, this user may prefer country over classical music, this user's general tastes (e.g., time-independent or event-independent) includes both country and classical music; but rarely, if ever, will a time or event arise when this user's preference for music ever include jazz or folk music. In like manner, a user may generally like one particular artist, and absolutely dislike another artist, regardless of the genre of the song that these artists record. Similarly, a user may have a general preference or aversion to songs that include drum-solos.

ANA

Please delete the paragraph on page 6, lines 17 and replace the same with the following amended paragraph:

Although the invention has been presented using the paradigm of a recommender module 130 that provides a first subset of selections based on a user's general preferences, one of ordinary skill in the art will recognize that other schemes may be used. For example, FIG. 2 illustrates a hierarchical playlist generator 200 that includes a recommender module 230 that is configured to search for songs that are currently popular, wherein popularity is defined in terms of the number of times other users have accessed each song during a given time period (i.e., based upon a frequency of access of the items within the source of material). Accordingly, in one embodiment, the playlist generator is configured wherein the first set of user preferences includes one or more parameters for searching the source of material based on a frequency of access of the items within the source of material, and the first selector is configured to determine a measure of requests for each item within the source material by a plurality of users, and to provide therefrom the first subset of identification of items, based on the measure of requests for each item.

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## **Amendment to the Specification:**

Please delete the paragraph beginning on page 3, line 27 through page 4, line 2 and replace the same with the following amended paragraph:

The playlist generator 100 (i.e., apparatus 100) of FIG. 1 includes at least two selectors, 130, 150 (i.e., selector devices 130 and 150), that are configured to select material (via Net 120, for example, an Internet) from one or more sources 110 (e.g., databases of content material) to form a playlist 160 via a sequential filtering process. Optionally, the playlist generator 100 may also include a rendering device 190 for rendering the material identified in the playlist 160 (e.g., a rendering device 190 for playing a song identified in the playlist), or the playlist 160 may be provided to a separate rendering system. Although only two selectors 130, 150 are illustrated in FIG. 1, one of ordinary skill in the art will recognize that multiple selectors may be placed in a sequential path between sources 110 of content material and the generated playlist 160, in view of this disclosure.

ANA 8/31/10 Please delete the paragraph on page 4, lines 3-15 and replace the same with the following amended paragraph:

A first selector 130, hereinafter termed a "recommender", is configured to access (e.g., directly or via Net 120 as illustrated in FIG. 1) the one or more sources 110 of content material (e.g., databases of <u>content</u> material), or indexes to the one or more sources 110, to select a subset of the available content material, based on a first set of preferences 170 of a user. The first set of user preferences or parameters can include time-independent user preferences or parameters. In addition, the first set of user preferences or parameters can include event-independent user preferences or parameters. In one embodiment of this invention, the first set of preferences 170 correspond to the general "tastes" of the user. These tastes are typically the time-invariant (e.g., time-independent or event-independent) preferences of the user. For

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example, a particular user may generally like rock-and-roll, country, and classical music, and generally dislike jazz and folk music. That is, although at particular times, or during particular events, this user may prefer country over classical music, this user's general tastes (e.g., time-independent or event-independent) includes both country and classical music; but rarely, if ever, will a time or event arise when this user's preference for music ever include jazz or folk music. In like manner, a user may generally like one particular artist, and absolutely dislike another artist, regardless of the genre of the song that these artists record. Similarly, a user may have a general preference or aversion to songs that include drum-solos.

following amended paragraph:

In a typical embodiment of this invention, the subset 140 is stored in non-volatile storage, so that multiple playlists 160 can be generated from this subset 140 as the user desires. For example, the system 100 (i.e., apparatus 100) may be configured to apply the selector 130/230 to the available sources 110 (e.g., databases of material) on a weekly basis (i.e., a periodic basis), to keep the subset 140 relatively up to date. During the week, the user applies the selector 150 (e.g., via a second or third set of user preferences or parameters) to the subset 140 to generate playlists 160 as required. Because the subset 140 is a collection of identifiers that is substantially smaller than a collection of identifiers of all of the material at the sources 110, and because the subset 140 is typically generated at the user's system (i.e., apparatus 100), the repeated operations of the selector 150 (e.g., via a second or third set of user preferences or parameters) is substantially more efficient than the conventional repeated operation of a single-stage selector that searches the entire collection at the sources 110. Accordingly, the playlist generator includes non-volatile memory configured to store the first subset of identifications. In addition, the second selector of the playlist generator is further

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configured to search the first subset of identifications, based on a third set of user preferences or parameters, to provide therefrom a third subset of identifications of items within the source of material, to form another playlist that facilitates subsequent rendering of the items identified in the third subset.